

REMARKS

Claims 1-14 are all the claims pending in the application.

1. Formalities

Applicants thank the Examiner for acknowledging the claim for foreign priority and for confirming receipt of the certified copy of the priority document.

Applicants thank the Examiner for initialing the references listed on form PTO/SB/08 submitted with the Information Disclosure Statement filed on April 25, 2005.

Applicants thank the Examiner for indicating that the drawings filed on February 21, 2002, have been accepted.

2. Objections to the Specification

The Examiner has objected to the Specification. Specifically, the Examiner has indicated that a new title is required.

Applicants submit that the modifications to the title obviate the objection.

3. Claim Rejections Under 35 U.S.C. § 102

The Examiner has rejected claims 1, 3, 5 and 7 under 35 U.S.C. § 102(e) as being anticipated by Kahn *et al.* (US Patent Publication 2001/0050875) ["Kahn"]. For at least the following reason, Applicant traverses the rejection.

Applicants note that the filing date of the Kahn reference is February 21, 2001, which is one (1) week prior to the filing of this application's priority document JP 2001-054965 on February 28, 2001.

Applicants submit that Applicants were in possession of the present invention prior to the filing date of the Kahn reference.

In support, Applicants submit herewith a Declaration under 37 C.F.R. § 1.131, signed by the inventors of the present invention, which indicates that the Applicants were in possession of the present invention prior to February 21, 2001. Applicants also submit a Declaration under 37 C.F.R. § 1.131, signed by the president of Matsuura & Associates, which indicates that this application's priority document was prepared in the ordinary course of business and in due course.

Therefore, Applicants submit that the Examiner may not rely on the Kahn reference to reject at least claims 1, 3, 5 and 7 of the present application, as Kahn is not prior art under any of the provisions of 35 U.S.C. § 102.

Accordingly, Applicant will not address the Kahn reference on the merits, and hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 102(e) rejection of the claims.

4. Claim Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 2, 4, 6 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Kahn in view of Niikawa *et al.* (US 6,834,130) ["Niikawa"] and Sugitani (JP 2001-045426) ["Sugitani"]. For at least the following reason, Applicants traverse the rejection.

Because claims 2, 4, 6 and 8 depend on claim 1, and because Nikawa and Sugitani fail to teach or suggest (either alone or in combination) each and every claim feature on their own, Applicants hereby request the Examiner reconsider and withdraw the above rejection.

The Examiner has rejected claims 9 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Kahn in view of Pfeiffer *et al.* (US 5,146,592) ["Pfeiffer"]. For at least the following reason, Applicants traverse the rejection.

Because claims 9 and 11 depend on claim 1, and because Pfeiffer fails to teach or suggest each and every claim feature on its own, Applicants hereby request the Examiner reconsider and withdraw the above rejection.

The Examiner has rejected claims 10 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Kahn in view of Pfeiffer and Niikawa and Sugitani. For at least the following reason, Applicants traverse the rejection.

Because claims 10 and 12 depend on claim 1, and because Pfeiffer, Niikawa and Sugitani fail to teach or suggest (either alone or in combination) each and every claim feature on their own, Applicants hereby request the Examiner reconsider and withdraw the above rejection.

The Examiner has rejected claims 13 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Kahn in view of Pfeiffer and Hicks (US Patent Application 2002/0063901) ["Hicks"]. For at least the following reasons, Applicants traverse the rejection.

Because the Examiner may not rely on Kahn as a prior art reference for at least claims 13 and 14, and because Pfeiffer and Hicks fail to teach or suggest (either alone or in combination) each and every claim feature on their own, Applicants hereby request the Examiner reconsider and withdraw the above rejection.

5. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER


Bhaskar Kakarla
Registration No. 54,627

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